

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: SUBPOENA ISSUED IN:

Misc. No. 1:22-mc-00144-PKC

*St. Clair County Employees' Retirement System v. Acadia Healthcare Company, Inc. et al.*, pending in the United States District for the Middle District of Tennessee, Case No. 3:18-cv-00988-WLC-AEN

DAVID FABER

Petitioner,

v.

CHICAGO VICINITY LABORERS  
DISTRICT COUNCIL PENSION FUND and  
NEW YORK HOTEL TRADES COUNCIL  
& HOTEL ASSOCIATION OF NEW YORK  
CITY, INC. PENSION FUND,

Respondents.

**NOTICE OF VOLUNTARY DISMISSAL**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Petitioner David Faber in the above-referenced action hereby gives notice that the above-captioned petition is voluntarily dismissed, without prejudice, against Respondents Chicago Vicinity Laborers District Council Pension Fund and New York Hotel Trades Council & Hotel Association of New York City, Inc. Pension Fund.

Respondents issued a subpoena ("Subpoena") to Petitioner commanding remote testimony in connection with the underlying case *St. Clair County Employees' Retirement System v. Acadia Healthcare Co. et al.*, No. 3:18-cv-00988-WLC-AEN (M.D. Tenn.), which prompted Petitioner's Motion to Quash and the initiation of this miscellaneous proceeding (ECF 1). Counsel for Petitioner and Respondents have further met and conferred on the issue after this

proceeding was filed, and counsel for Respondents has agreed to withdraw the Subpoena to Petitioner without prejudice, thereby rendering the instant Motion to Quash moot.

Accordingly, Petitioner hereby gives notice that the above-captioned petition is voluntarily dismissed, without prejudice, against Respondents, with all parties to bear their own fees and costs.

Dated: June 3, 2022  
New York, New York

Respectfully submitted,

/s/ Elizabeth A. McNamara  
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*Attorneys for Petitioner David Faber*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 3, 2022, I electronically filed the foregoing Notice of Voluntary Dismissal, with the Clerk of the Court using CM/ECF. I also certify that the foregoing Notice is being served this day on all counsel of record for Respondents identified on the attached Service List via email.

By: /s/ Elizabeth A. McNamara  
Elizabeth A. McNamara

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